



THE CITY RECORD

Official Journal of The City of New York

THE CITY RECORD
U.S.P.S. 0114-660

Printed on paper containing
40% post-consumer material

VOLUME CXXXVII NUMBER 134

WEDNESDAY, JULY 14, 2010

PRICE \$4.00

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THE CITY RECORD

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Published Monday through Friday, except legal holidays by the Department of Citywide Administrative Services of the City of New York under Authority of Section 1066 of the New York City Charter.

Subscription—\$500 a year; daily, \$4.00 a copy (\$5.00 by mail) Periodicals Postage Paid at New York, N.Y.
POSTMASTER: Send address changes to THE CITY RECORD, 1 Centre Street, Room 2208, New York, N.Y. 10007 - 1602

Editorial Office
1 Centre Street, Room 2208
New York N.Y. 10007-1602
Telephone (212) 669-8252

Subscription Changes/Information
1 Centre Street, Room 2208
New York N.Y. 10007-1602
Telephone (212) 669-8252

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BANKING COMMISSION

MEETING

PLEASE TAKE NOTICE THAT there will be a Quarterly Meeting of the Banking Commission on Thursday, July 22, 2010 at 2:00 P.M. in the Executive Conference Room at 66 John Street, 12th Floor, Manhattan.

jy13-19

CITY COUNCIL

PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearings on the matters indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the 16th Floor Hearing Room, 250 Broadway, New York City, New York 10007, commencing at 9:30 A.M. on Thursday, July 15, 2010:

FLUSHING COMMONS

QUEENS CB - 7 C 100206 PPQ
Application submitted by NYC Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located at 38-15 138th Street (Block 4978, p/o Lot 25), pursuant to zoning.

FLUSHING COMMONS

QUEENS CB - 7 C 100207 ZMQ
Application submitted by Flushing Commons LLC and the NYC Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 10a, by changing from a C4-3 District to a C4-4 District property bounded by Congressman Rosenthal Place, Union Street, 39th Avenue, and 138th Street, Borough of Queens, Community District 7, as shown on a diagram (for illustrative purposes only) dated January 25, 2010, and subject to the conditions of CEQR Declaration E-247.

FLUSHING COMMONS

QUEENS CB - 7 C 100208 ZSQ
Application submitted by Flushing Commons LLC and the NYC Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following sections of the Zoning Resolution:

- Section 74-743(a)(2) - to allow the location of buildings without regard for the height and setback requirements of Sections 23-632, 33-432 and 35-60, the rear yard requirements of Sections 23-532 and 35-53, the rear yard setback requirements of Section 23-663, the minimum distance between buildings and minimum distance between legally required windows and building walls regulations of Section 23-711;
- Section 74-743(a)(4) - to allow the maximum floor area ratio permitted pursuant to Section 23-142 without regard for height factor or open space ratio requirements;
- Section 74-744(b) - to allow residential and non-residential uses to be arranged within buildings without regard for the requirements of Section 32-42.

to facilitate a proposed mixed use development, on property located at 38-15 138th Street a.k.a. 37-10 Union Street (Block 4978, p/o Lot 25), in a C4-4 District, within a General Large Scale Development.

FLUSHING COMMONS

QUEENS CB - 7 C 100209 ZSQ
Application submitted by Flushing Commons LLC and the NYC Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-512 of the Zoning Resolution to allow a public parking facility with a maximum capacity of 1600 spaces, including 908 self-park spaces and 692 attended parking spaces, on portions of the ground floor, 1st level cellar, 2nd level cellar and the 3rd level cellar, in connection with a proposed mixed use development, on property located at 38-15 138th Street a.k.a. 37-10 Union Street (Block 4978, p/o Lot 25), in a C4-4 District, within a General Large-Scale Development.

FLUSHING COMMONS

QUEENS CB - 7 N 100210 ZRQ
Application submitted by Flushing Commons LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Section 74-743 (Special provisions for bulk modification), relating to open space, in General Large Scale Developments in C4-4 Districts.

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is to be deleted;
Matter with # # is defined in Section 12-10;
*** indicated where unchanged text appears in the Zoning Resolution

3/26/08

74-743

Special provisions for bulk modification

- For a #general large-scale development#, the City Planning Commission may permit.
 - Distribution of total allowable #floor area#, #rooming units#, #dwelling units#, #lot coverage# and total required #open space# under the applicable district regulations within a #general large-scale

development# without regard for #zoning lot lines# or district boundaries subject to the following limitations:

- no distribution of #bulk# across the boundary of two districts shall be permitted for a #use# utilizing such #bulk# unless such #use# is permitted in both districts;
 - when a #general large-scale development# is located partially in a #Residence District# or in a C1, C2, C3 or C4-1 District and partially in other #Commercial# or #Manufacturing Districts#, no transfer of commercial #floor area# to a #Residence District# or to a C1, C2, C3 or C4-1 District from other districts shall be permitted;
 - location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations;\
 - variation in the location of primary business entrances and #show windows# along frontages adjacent to #zoning lots# outside the #general large-scale development# without regard to regulations applicable near #Residence District# boundaries; and
 - the maximum #floor area ratio# permitted pursuant to Section 23-142 (In R6, R7, R8 or R9 Districts) for the applicable district without regard for #height factor# or #open space ratio# requirements provided that the #general large-scale development# is located partially in a C6-1, C6-2, or C6-3 District within the boundaries of Community District 7 in Manhattan or located within a C4-4 District within the boundaries of Queens Community District 7 and that a minimum of 50 percent of the required #open space# is provided within the #general large-scale development#. Required #open space# for the purposes of paragraph (a) (4) of this Section shall be calculated by utilizing the smallest #open space ratio# at the maximum #floor area ratio# pursuant to Section 23-142 for the applicable district.
 - In an #Inclusionary Housing designated area# in a C4-6 or C5 District:
 - a portion of the #lot area# that contains a wholly #commercial building# to be excluded from the calculation of #floor area# for any other #buildings# on the remainder of the #zoning lot#; or
 - community facility #floor area# located above the ground floor to be excluded from the calculation of the amount of #lower income housing# required pursuant to Section 23-942;
- * * *
- In order to grant a special permit pursuant to this Section for any #general large-scale development#, the Commission shall find that:

* * *

(6) where the Commission permits the maximum #floor area ratio# in accordance with the provisions of paragraph (a) (4) of this Section, the #open space# provided is of sufficient size to serve the residents of new or #enlarged buildings#. Such #open space# shall be accessible to and usable by all residents of such new or #enlarged buildings#, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped. Furthermore, the site plan of such #general-large scale development# shall include superior landscaping for #open space# of the new or #enlarged buildings#;

* * *

FLUSHING COMMONS

QUEENS CB - 7 N 100211 ZRQ
Application submitted by Flushing Commons LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning the Downtown Flushing Waterfront Access Plan (WAP Q-2) to allow public parking lots as-of-right and to exempt such parking from requirements for public access and visual corridors pursuant to Section 62-952 of the Zoning Resolution.

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is to be deleted;
Matter with # # is defined in Section 12-10;
*** indicated where unchanged text appears in the Zoning Resolution

62-952 Waterfront Access Plan Q-2; Downtown Flushing
Maps Q-2a through Q-2c in paragraph (e)-(f) of this Section show the boundaries of the area comprising the Downtown Flushing Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area has been divided into parcels consisting of tax blocks and lots and other lands as established on September 17, 1998, as follows:

(b) Special public access provisions by parcel

The requirements for #waterfront public access areas# of Sections 62-53 through 62-57 inclusive, and Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, are modified at the following designated locations which are shown on Map Q-2b in paragraphs (e)-(f) of this Section:

* * *

- (2) Parcel 2
- (i) #Shore public walkway#
The requirements of Section 62-53 are modified to reduce the minimum required width of the #shore public walkway# to 20 feet. The quantity of public access area eliminated from the #shore public walkway# as a result of this width reduction shall be provided adjoining the intersection of the required #upland connection# and the #shore public walkway# and shall be improved pursuant to the standards for a #supplemental public access area#, as set forth in Section 6262.
- (ii) #Upland connection#
An #upland connection# shall be located between College Point Boulevard and the #shore public walkway#, either: (1) within the flexible location zone indicated on Map Q-2b in paragraph (e)(D) of this Section, having as its northerly boundary the straight-line extension of that portion of the boundary between Parcels 1 and 2 which intersects with College Point Boulevard and, as its southern boundary, the prolongation of the southerly #street line# of 37th Avenue; or (2) continuously adjoining the boundary between Parcels 1 and 2.
- (iii) No public access shall be required for any #public parking lot#, provided such #public parking lot# was approved pursuant to Section 74-512 (In other Districts) and is an interim use that is limited to a term of not more than ten years.

* * *

(c) Special visual corridor provisions by parcel

The designated locations for #visual corridors# pursuant to this Plan shall be as follows and are shown on Map Q-2c in paragraph (e)-(f) of this Section:

- (1) Parcel 1
A #visual corridor# shall be provided through Parcel 1 to the pierhead line as the prolongation of the #street lines# of 36th Road. Any #building or other structure# existing on September 17, 1998, shall be a permitted obstruction.
- (2) Parcel 2
A #visual corridor# shall be provided through Parcel 2 to the pierhead line as the prolongation of the #street lines# of 37th Avenue. However, no #visual

corridor# shall be required for any #public parking lot#, provided such #public parking lot# was approved pursuant to Section 74-512 provided that the parking facility is an interim use limited to a term of not more than ten years.

* * *

(e) Special use provisions by parcel

(1) Parcel 2

The City Planning Commission may permit #public parking lots# on #waterfront blocks# in accordance with applicable district regulations and Section 74-512 provided that the parking facility is an interim #use# limited to a term of not more than ten years.

(e)-(f) Downtown Flushing Waterfront Access Plan Maps

* * *

FLUSHING COMMONS

QUEENS CB - 7 C 100212 ZSQ
Application submitted by Fulton/Max International (Holdings) Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-512 of the Zoning Resolution to allow a public parking lot with a maximum capacity of 647 spaces, including 201 self-park spaces and 446 attended parking spaces, on property located at 133-41 39th Avenue (Block 4972, Lots 8, 23 and 65), in a C4-2 District.

FLUSHING COMMONS

QUEENS CB - 7 C 100213 ZSQ
Application submitted by Fulton/Max International (Holdings) Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 62-835 and 74-512 of the Zoning Resolution to allow a public parking lot with a maximum capacity of 309 spaces, including 207 self-park spaces and 102 attended parking spaces, on property located at 37-02 College Point Boulevard (Block 4963, Lots 85), in a C4-2 District.

FLUSHING COMMONS

QUEENS CB - 7 C 100214 ZSQ
Application submitted by NYC Department of Transportation and the NYC Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-512 of the Zoning Resolution to allow a public parking lot with a maximum capacity of 275 spaces, on property located at 135-17 39th Avenue (Block 4975, Lot 15), in a C4-2 District.

MACEDONIA PLAZA

QUEENS CB - 7 C 100216 HAQ
Application submitted by the Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a) the designation of property located at 37-10 37th Avenue (Block 4978, part of Lot 25) as an Urban Development Action Area; and
 - b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate development of a 14-story building, tentatively known as Macedonia Plaza with approximately 140 residential units.

OVERSIGHT HEARING

The Zoning and Franchises Subcommittee jointly with the Technology Committee will hold a public hearing on the following matter.

“Stuck in the Middle: Protecting Consumers from Cable/Broadcaster Disputes” jy9-15

CITY PLANNING COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Specter Hall, 22 Reade Street New York, New York, on Wednesday, July 14, 2010, commencing at 10:00 A.M.

CITYWIDE No. 1

CAR SHARING TEXT

CITYWIDE N 100284 ZRY
IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Articles I, II, III, and IV concerning the parking of car sharing vehicles in off-street parking facilities.

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is old, to be deleted;
Matter in # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

Article 1 GENERAL PROVISIONS

* * *

Chapter 2 Construction of Language and Definitions

* * *

12-10 DEFINITIONS

* * *

Bulk

* * *

Car sharing vehicle

A “car sharing vehicle” is a vehicle maintained and owned or leased by a car sharing organization and which is available for use by its members. Membership shall mean that individuals have been pre-approved to use such vehicles and need not be approved by the car sharing organization at each time of proposed use. Membership must be open to the public and shall only be denied based upon driving record, credit record or other legitimate business need of the car sharing organization. Vehicles must be made available to members for periods of use as short as one hour. The car sharing organization must provide all legally required insurance as part of the membership.

Vehicles shall be reserved by members through a self-service reservation system which is available at all times. A #car sharing vehicle# shall be located in a parking facility that is accessible to members of the car sharing organization at all times. No employees or agents of the car sharing organization shall provide services to members or conduct business transactions with members within such parking facility. Attended parking facilities may be serviced by a parking attendant unaffiliated with any car sharing organization.

A #car sharing vehicle# shall be no more than 216 inches in length and shall bear a decal or other mark that identifies the car sharing organization and is securely affixed to the exterior of the vehicle, in accordance with criteria specified by the Commissioner of Buildings.

* * *

Public parking garage

A “public parking garage” is a #building or other structure#:

- (a) that provides parking or storage for motor vehicles, but not for commercial or public utility vehicles or the dead storage of motor vehicles; and
- (b) some or all of whose parking spaces are non-#accessory#.

#Car sharing vehicles# may occupy a maximum of 40 percent of parking spaces in a #public parking garage#. A #public parking garage# may include #accessory# off-street parking spaces limited to such spaces that are #accessory# to other #uses# on the same #zoning lot#. Sale of motor fuel or motor oil or minor repairs incidental to the parking or storage of motor vehicles are permitted #accessory uses#.

Public parking lot

A “public parking lot” is any tract of land that is:

- (a) used for the parking or storage for motor vehicles, but not for commercial or public utility vehicles or the dead storage of motor vehicles; and
- (b) not #accessory# to a #use# on the same or another #zoning lot#.

#Car sharing vehicles# may occupy a maximum of 40 percent of parking spaces in a #public parking lot#.

Minor repairs incidental to the parking or storage of motor vehicles are a permitted #accessory use#.

* * *

Chapter 3 Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens

* * *

13-012 Existing off-street parking facilities

(a) Existing required or permitted #accessory# off-street parking spaces, #public parking lots# and #public parking garages# established prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens shall continue to be subject to the applicable zoning district regulations in effect prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens. However, #enlargements#, #extensions# or any increase in the number of off-street parking spaces within such off-street parking facilities shall be subject to the provisions of this Chapter.

(b) Nothing herein contained shall be deemed to permit a reduction or elimination of existing #accessory# off-street parking spaces that were required under the applicable provisions of the zoning district regulations in effect prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens.

(c) For all existing required or permitted #accessory# off-street parking spaces established prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens, up to five spaces or 20 percent of all such spaces, whichever is greater, may be occupied by #car sharing vehicles#. Up to 40 percent of all spaces in #public parking lots# and #public parking garages# established prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens may be occupied by #car sharing vehicles#.

* * *

13-14 Additional Regulations for Permitted Accessory Off-Street Parking Spaces

* * *

13-144 Car sharing vehicles

Notwithstanding the provisions of Sections 13-12, 13-131, 13-132, 13-133, and 13-134, up to five spaces or 20 percent of all #accessory# off-street parking spaces, whichever is greater, may be occupied by #car sharing vehicles#.

* * *

13-42 Residential Development

#Accessory# off-street parking spaces are required for new #residential developments# or #enlargements# in Manhattan Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, only as set forth below:

(a) For public or publicly-assisted housing, as such categories are defined in Section 25-25 (Modification of Requirements for Public or Publicly Assisted Housing or Non-Profit Housing for the Elderly), the minimum number of #accessory# off-street parking spaces required for new #dwelling units# provided in the #development# or #enlargement# as a percentage of such new #dwelling units# are as follows:

* * *

(f) All such parking spaces shall be used exclusively by the occupants of the #residential development# and occupants of nearby public or publicly-assisted housing projects, except that #car sharing vehicles# may occupy up to five spaces or 20 percent of all #accessory# off-street parking spaces, whichever is greater.

* * *

13-55 Authorizations

13-551 Accessory off-street parking spaces

The City Planning Commission may, by authorization, subject to the otherwise applicable zoning district regulations, allow on-site enclosed #accessory# off-street parking facilities with a maximum capacity of 15 spaces in existing #buildings#, provided that the Commission finds that:

- (a) the #building# does not have #accessory# off-street parking spaces;
- (b) such parking spaces are needed for and will be used exclusively by the occupants of the #use# to which they are #accessory#, except that #car sharing vehicles# may occupy up to five spaces or 20 percent of all #accessory# off-street parking spaces, whichever is greater.

* * *

13-56 Special Permits

13-561 Accessory off-street parking spaces

The City Planning Commission may, by special permit, subject to the otherwise applicable zoning district regulations, allow on-site or off-site, open or enclosed, #accessory# off-street parking facilities with any capacity not otherwise allowed under Section 13-10 (PERMITTED ACCESSORY OFF-STREET PARKING SPACES) provided the Commission finds that:

(a) such parking spaces are needed for, and will be used by, the occupants, visitors, customers or employees of the #use# to which they are #accessory#, except that #car sharing vehicles# may occupy up to five spaces or 20 percent of all #accessory# off-street parking spaces, whichever is greater;

* * *

Chapter 2 Use Regulations

22-30 SIGN REGULATIONS

22-323 Signs for parking areas

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

One #sign#, with an area not exceeding two square feet, designating each entrance to or exit from an off-street parking area, open or enclosed, is permitted. No such #sign# shall be higher than seven feet above #curb level#.

In addition, an off-street parking facility that contains #car sharing vehicles# may provide #signs# that in the aggregate total no more than two square feet in area identifying organizations that have #car sharing vehicles# available at such parking area. Such #sign# shall be placed at the entrance so that it is directly visible, without any obstruction, to customers accessing such parking facility, and at a height not higher than seven feet above #curb level#.

* * *

Chapter 5 Accessory Off-Street Parking and Loading Regulations

Off-street Parking Regulations

* * *

25-40 Restrictions on operation of accessory off-street

parking spaces

* * *

25-412 In other Residence Districts
R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, such spaces shall be designed and operated primarily for the long-term storage of the private passenger motor vehicles used by the occupants of such #residences# except for spaces that are:

(a) ~~such spaces may be~~ rented for periods of not less than one week and not more than one month to persons who are not occupants of the #residences# to which such spaces are #accessory# for the accommodation of the private passenger motor vehicles used by such non-residents, provided that such spaces are operated in accordance with the regulations promulgated by the Commissioner of Buildings, in a manner which will not adversely affect the residential character of the neighborhood. ~~Such spaces shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request therefore is made to the landlord, or~~

(b) occupied by #car sharing vehicles# as follows:

- (1) In R3-2 and R4 Districts, except R4A, R4B and R4-1 Districts, #car sharing vehicles# may occupy not more than 10 percent of spaces in a #group parking facility# than contains 20 or more spaces, and
- (2) In R5, R6, R7, R8, R9 and R10 Districts, except R5A Districts, #car sharing vehicles# may occupy not more than five spaces or 20 percent of spaces, whichever is greater.

Such spaces provided pursuant to paragraph (a) and (b) of this Section shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request therefore is made to the landlord.

25-42 Use of Spaces Accessory to Permitted Non-Residential Uses
R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all permitted or required off street parking spaces, open or enclosed, which are #accessory# to permitted non-#residential uses# shall be used only by occupants, visitors, customers or employees of such #uses# and shall not be rented except as may be provided for houses of worship pursuant to Section 25-542 (Shared parking facilities for houses of worship). However, #car sharing vehicles# may occupy such spaces pursuant to the provisions of paragraphs (a) and (b) of this Section:

R1 R2 R3-1 R3A R3X R4A R4B R4-1 R5A
(a) #car sharing vehicles# may occupy not more than 10 percent of parking spaces in a #group parking facility# of 20 spaces or more that is #accessory# to a college or university #use# listed in Use Group 3.

R3-2 R4 R5 R5B R5D R6 R7 R8 R9 R10
(b) #car sharing vehicles# may occupy not more than 10 percent of parking spaces in any #group parking facility# of 20 spaces or more.

* * *

25-68 For parking facilities containing #car sharing vehicles#
R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Within an off-street parking facility that contains #car sharing vehicles#, an information plaque shall be placed at a location accessible to and visible to users of such facility. The plaque shall be fully opaque, non reflective and constructed of permanent, highly durable materials and shall contain the following statements in lettering no less than one inch high:

- (a) "Total parking spaces in facility:" and shall specify the total number of parking spaces permitted within such parking facility, and
- (b) "Maximum number of car sharing vehicles:" and shall specify the total number of #car sharing vehicles# permitted within such parking facility.

* * *

Chapter 6 Accessory Off-Street Parking and Loading Regulations

36-46 Restrictions on Use of Accessory Off-Street Parking Spaces

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required #accessory# off-street parking spaces, open or enclosed, shall be used primarily for the owners, occupants, employees, customers, residents, or visitors of the #use# or #uses# to which such spaces are #accessory#, except as set forth in this Section.

(a) Any off-street parking spaces #accessory# to #residences# which are not needed by the occupants of such #residences# may be rented to persons who are not occupants of such #residences# for the accommodation of private passenger motor vehicles used by such persons or may be occupied by #car sharing vehicles# as set forth in the following paragraphs:

- (1) In C1 or C2 Districts mapped within

Residence Districts

In C1 or C2 Districts mapped within R3, R4 or R5A Districts, #car sharing vehicles# may occupy not more than 10 percent of spaces in #group parking facilities# containing 20 or more spaces. In C1 or C2 Districts mapped within R5 except R5A Districts, and in R6, R7, R8, R9 or R10 Districts, #car sharing vehicles# may occupy not more than five spaces or 20 percent of spaces, whichever is greater.

(2) In C1 or C2 districts not mapped within Residence Districts, or in C3, C4, C5, C6 Districts

In the districts indicated, except C3 Districts, #car sharing vehicles# may occupy not more than five spaces or 20 percent of spaces, whichever is greater. In C3 Districts, #car sharing vehicles# may occupy not more than 10 percent of spaces in #group parking facilities# containing 20 or more spaces.

Such spaces provided pursuant to paragraph (a) of this Section shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request therefore is made to the landlord.

(b) #Car sharing vehicles# may occupy not more than 10 percent of off-street parking spaces #accessory# to non-#residential uses# in #group parking facilities# of 20 spaces or more.

In addition, the rental of such spaces to non-residents shall be subject to the restrictions applying to the specified districts as set forth in the Sections 36-461 and 36-462, except that such restrictions shall not apply to spaces occupied by #car sharing vehicles#.

* * *

36-51 General Provisions
C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required #accessory# off-street parking spaces shall conform to the provisions of the following Sections: Section 36-50, inclusive.

- Section 36-52 (Size of Spaces)
- Section 36-53 (Location of Access to the Street)
- Section 36-54 (Restrictions on Use of Required Residential Open Space for Parking)
- Section 36-55 (Surfacing)
- Section 36-56 (Screening)

Special regulations applying to #large-scale community facility developments# or #large-scale residential developments# are set forth in Article VII, Chapter 8.

36-52 Size, and Location and Identification of Spaces

* * *

36-523 Identification of #car sharing vehicles#
C1 C2 C3 C4 C5 C6 C7 C8

Within an off-street parking facility that contains #car sharing vehicles#, an information plaque shall be placed at a location accessible to and visible to users of such facility. The plaque shall be fully opaque, non reflective and constructed of permanent, highly durable materials and shall contain the following statements in lettering no less than one inch high:

- (a) "Total parking spaces in facility:" and shall specify the total number of parking spaces permitted within such parking facility, and
- (b) "Maximum number of car sharing vehicles:" and shall specify the total number of #car sharing vehicles# permitted within such parking facility.

* * *

Chapter 4 Accessory Off-Street Parking and Loading Regulations

44-30 RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES

* * *

44-35 Restriction on Use of Accessory Off-Street Parking Spaces
M1 M2 M3

In all districts, as indicated, #accessory# off-street parking spaces, whether permitted or required and whether open or enclosed, shall be used primarily for the owners, occupants, employees, customers, or visitors of the #use# or #uses# to which such spaces are #accessory#. However, in #group parking facilities# containing 20 spaces or more, #car sharing vehicles# may occupy no more than 10 percent of such spaces.

44-41 General Provisions

M1 M2 M3

In all districts, as indicated, all permitted or required off-street parking spaces shall conform to the provisions of Section 44-40, inclusive, the following Sections:

- Section 44-42 (Size of Spaces)
- Section 44-43 (Location of Access to the Street)
- Section 44-44 (Surfacing)
- Section 44-45 (Screening)

Special regulations applying to #large-scale community facility developments# are set forth in Article VII, Chapter 8.

44-42

Size and Identification of Spaces(a) **Size of Spaces**
M1 M2 M3

In all districts, as indicated, for all #accessory# off-street parking spaces, open or enclosed, each 300 square feet of unobstructed standing or maneuvering area shall be considered one parking space. However, an area of less than 300 square feet, but in no event less than 200 square feet, may be considered as one space, where the layout and design of the parking area are adequate to permit convenient access and maneuvering in accordance with regulations promulgated by the Commissioner of Buildings, or where the developer or applicant for a building permit or certificate of occupancy certifies that such spaces will be fully attended.

* * *
(b) **Identification of #car sharing vehicles#**
M1 M2 M3

Within an off-street parking facility that contains #car sharing vehicles#, an information plaque shall be placed at a location accessible to and visible to users of such facility. The plaque shall be fully opaque, non reflective and constructed of permanent, highly durable materials and shall contain the following statements in lettering no less than one inch high:

- (1) "Total parking spaces in facility:" and shall specify the total number of parking spaces permitted within such parking facility, and
- (2) "Maximum number of car sharing vehicles:" and shall specify the total number of #car sharing vehicles# permitted within such parking facility.

* * *

YVETTE V. GRUEL, Calendar Officer
City Planning Commission
22 Reade Street, Room 2E
New York, New York 10007
Telephone (212) 720-3370

j30-jy14

CIVILIAN COMPLAINT REVIEW BOARD

■ MEETING

The Civilian Complaint Review Board's monthly public meeting has been scheduled for: **Wednesday, July 14, 2010 at 10:00 A.M.** at 40 Rector Street, 2nd Floor, New York, NY 10006.

jy8-14

ENVIRONMENTAL CONTROL BOARD

■ NOTICE

ENVIRONMENTAL CONTROL BOARD / OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS

The next meeting will take place on Thursday, July 22, 2010 at 40 Rector Street, OATH Lecture Room, 14th Floor, New York, NY 10006 at 9:15 A.M., at the call of the Chairman.

jy12-14

FRANCHISE AND CONCESSION REVIEW COMMITTEE

■ MEETING

NOTICE OF SPECIAL MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee (FCRC) will hold a Special Public Meeting on Thursday, July 22, 2010 at 1:00 PM at 22 Reade Street, Spector Hall, Borough of Manhattan in the following matters: (1) Intent to seek FCRC approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, for the New York City Department of Parks and Recreation to enter into a Sole Source License Agreement (License Agreement) with Central Park Conservancy (CPC) for the sale of parks-related gifts and souvenirs at Tavern on the Green, the Dairy Visitors Center, Belvedere Castle, Dana Discovery Center, Chess and Checkers House, and North Meadow Recreation Center, in Central Park, Manhattan (Licensed Premises). The License Agreement will provide for a license term beginning upon CPC's receipt of a written Notice to Proceed and terminating on June 30, 2013. In lieu of a license fee, CPC shall use the revenue generated from the sale of souvenirs/gifts to offset the cost of providing visitor services, as directed by Parks which will include, but not be limited to, staffing and provision of maps and public information pamphlets and maintenance and repairs at the Licensed Premises. In no event shall the term of this License Agreement exceed the term of the April 2006 agreement between Parks and CPC pursuant to which CPC performs specific services for the maintenance and repair of Central Park; and (2) Intent to seek FCRC approval to utilize a different procedure, pursuant to Section 1-16 of the Concession Rules of the City of New York, for the New York City Department of Parks and Recreation to negotiate an amendment to the License Agreement between the New York City Department of Parks and Recreation and Bike the Greenway LLC. The amendment would allow for the following additional bike rental location to be added to the License Agreement: parking lot of Tavern on the Green, West 67th Street and Central Park West, Central Park.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007 (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD users should call Verizon relay service.

jy13-22

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting on Wednesday, July 14, 2010 at 2:30 P.M., at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contracts Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD users should call Verizon relay service.

jy2-14

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **July 27, 2010 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-0425 - Block 260, lot 55 - 312 Hicks Street - Brooklyn Heights Historic District
A Greek Revival style house built in 1846. Application is to modify a window opening and construct a deck.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-9480 - Block 2072, lot 4 - 174 Washington Place - Fort Greene Historic District
An Italianate style rowhouse built c. 1868. Application is to construct rooftop and rear yard additions. Zoned R-6B.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-0051 - Block 512, lot 7502 - 599 Broadway - SoHo-Cast Iron Historic District
A commercial building designed by J. Odell Whitenach and built in 1917. Application is to install storefront infill and signage.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-9390 - Block 545, lot 14 - 724 Broadway - NoHo Historic District
A one-story taxpayer built in 1936 and altered in 1987. Application is to re-designed the façade, install storefront infill, a canopy and illuminated signage.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-7918 - Block 532, lot 8 - 240 Mercer Street (aka 667-681 Broadway and 2-6 West 3rd Street) - NoHo Historic District
A Modern style residence hall designed by Benjamin Thompson & Associates and built in 1979-81. Application is to construct a terrace pergola.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4702 - Block 526, lot 51 - 88 MacDougal Street - MacDougal Sullivan Gardens Historic District
A rowhouse built in 1844 and remodeled in the neo-Federal style by Hyde and Joannes in the 1920's. Application is to construct a rooftop addition. Zoned R7-2,
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-0281 - Block 588, lot 67 - 45 Grove Street - Greenwich Village Historic District
A Federal style residence built in 1830. Application is to install signage.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4606 - Block 550, lot 13 - 7&8 Washington Mews - Greenwich Village Historic District
Two houses designed by Scott & Prescott and built in 1939. Application is to alter the entrances.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-5632 - Block 550, lot - Washington Mews - Greenwich Village Historic District
A private street. Application is to reconstruct the street bed and sidewalks.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-6648 - Block 644, lot 60 - 55 Gansevoort Street - Gansevoort Market Historic District
A vernacular style store and loft building designed by Joseph M. Dunn and built in 1887. Application is to construct rooftop bulkheads, raise parapets and install railings.
Zoned M1-5. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4220 - Block 319, lot 27 - 17 West 17th Street - Ladies' Mile Historic District
A Beaux-Arts style store and loft building designed by George Frederick Pelham and built in 1907. Application is to install doors and a canopy.
Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-8656 - Block 849, lot 20 - 23 East 20th Street - Ladies' Mile Historic District
A neo-Renaissance style store and loft building, designed by Ervin Gollner and built in 1899-1901. Application is to alter the parapet.
Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-3463 - Block 837, lot 48 - 390 Fifth Avenue - The Gorham Building-Individual Landmark

A Florentine Renaissance style building designed by Stanford White of McKim, Mead and White and built in 1904-06. Application is to replace windows.
Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-6943 - Block 1274, lot 25 - 768-770 Fifth Avenue - Plaza Hotel-Individual and Interior Landmark
A French Renaissance style hotel designed by Henry J. Hardenberg and built in 1905-07, with an addition designed by Warren and Wetmore and built in 1921. Application is to alter the rooftop addition.
Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-6209 - Block 1417, lot 113 - 229 East 62nd Street - Treadwell Farm Historic District
A rowhouse constructed in 1874-75 and remodeled in Georgian style in the mid 20th century. Application is to alter the façade and construct a rooftop addition. Zoned R8B.
Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-9825 - Block 1380, lot 143 - 58 East 66th Street - Upper East Side Historic District
A Beaux-Arts style residence designed by Buchman & Fox and built in 1908-09. Application is to construct a rear yard addition and replace windows. Zoned R8B.
Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-0791 - Block 1148, lot 52 - 150 West 77th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse, designed by Gilbert A. Schellenger and built in 1891. Application is to construct a rear yard addition and alter the basement entrance.
Zoned R-8B. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-5578 - Block 1718, lot 72 - 188 Lenox Avenue - Mount Morris Park Historic District
A Queen Ann style rowhouse designed by Herman J. Schwarzman and Buchman and built in 1886-87. Application is to legalize the removal of the stoop without Landmarks Preservation Commission permits, install a new storefront infill and alter the facade.
Community District 10.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF THE BRONX 10-4546 - Block 5817, lot 1766 - 4686 Waldo Avenue - Fieldston Historic District
A Medieval Revival style freestanding house designed by Julius Gregory and built 1924. Application is to construct an addition. Zoned R1-2. Community District 8.

jy14-27

PROPERTY DISPOSITION**CITYWIDE ADMINISTRATIVE SERVICES****DIVISION OF MUNICIPAL SUPPLY SERVICES**

■ AUCTION

PUBLIC AUCTION SALE NUMBER 10002-B

NOTICE IS HEREBY GIVEN of a public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, July 21, 2010 (SALE NUMBER 10002-B). Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

LOCATION: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets).

A listing of vehicles to be offered for sale in the next auction can be viewed on our web site, on the Friday prior to the sale date at:

<http://www.nyc.gov/autoauction>
OR
<http://www.nyc.gov/autoauctions>

Terms and Conditions of Sale can also be viewed at this site.

For further information, please call (718) 417-2155 or (718) 625-1313.

jy13-21

■ SALE BY SEALED BID

SALE OF: SANITATION COLLECTION TRUCKS AND SWEEPERS, USED.

S.P.#: 10024

DUE: July 23, 2010

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.
For sales proposal contact Gladys Genoves-McCauley at (718) 417-2156.

jy12-23

POLICE**OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT.**

The following listed property is in the custody, of the Property Clerk Division without claimants.

Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.
Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

INQUIRIES
 Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

FOR MOTOR VEHICLES
 (All Boroughs):

- * College Auto Pound, 129-01 31 Avenue, College Point, NY 11354, (718) 445-0100
- * Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852
- * Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

FOR ALL OTHER PROPERTY

- * Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
- * Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.
- * Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.
- * Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.
- * Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

PROCUREMENT

"The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence."

CITYWIDE ADMINISTRATIVE SERVICES

AWARDS

Services (Other Than Human Services)

NOTICE OF THE AWARD OF A CONCESSION – Sole Source – Available only from a single source - PIN# 85620108202836 – AMT: \$21,120.00 – TO: Quinn Restaurant Corp., 44th Drive at the East River, Long Island City, New York 11101. The Department of Citywide Administrative Services (DCAS), following approval by the Franchise and Concession Review Committee, has awarded a concession to Quinn Restaurant Corp. for a period of one (1) year with two (2) one-year renewal options; exercisable at the City's sole discretion, to utilize approximately 9,750 square feet of waterfront property. It is located approximately 204.9 feet north and approximately 669 feet west of the intersection of Vernon Boulevard and 44th Drive, identified as Block 488, Part of Lot 15, and Block 489, Part of Lot 23, Borough of Queens. DCAS entered into the sole source occupancy permit to allow Quinn Restaurant Corp. to continue to use this property for the purpose of Valet Parking in conjunction with its adjacent restaurant business. The concession term will commence April 1, 2010. DCAS projects approximately \$21,120 in annual concession revenue to the City.

NOTICE OF THE AWARD OF A CONCESSION – Sole Source – Available only from a single source - PIN# 85620108202881 – AMT: \$3,960.00 – TO: Quinn Restaurant Corp., 44th Drive at the East River, Long Island City, New York 11101. The Department of Citywide Administrative Services (DCAS), following approval by the Franchise and Concession Review Committee, has awarded a concession to Quinn Restaurant Corp. for a period of one (1) year with two (2) one-year renewal options; exercisable at the City's sole discretion, to utilize approximately 924 square feet of waterfront property. It is located on the north side of 44th Drive, approximately 730 feet west of the north west corner of Vernon Boulevard and 44th Drive, identified as Block 489, Part of Lot 999, Borough of Queens. DCAS entered into the sole source occupancy permit to allow Quinn Restaurant Corp. to continue to use this property for the purpose of storing a refrigeration unit and related equipment used in conjunction with its adjacent restaurant business. The concession term will commence April 1, 2010. DCAS projects approximately \$3,960 in annual concession revenue to the City.

NOTICE OF THE AWARD OF A CONCESSION – Sole Source – Available only from a single source - PIN# 85620108202701 – AMT: \$1,020,000.00 – TO: Toys 'R' Us-Delaware Inc., One Geoffrey Way, Wayne, New Jersey 07470. The Department of Citywide Administrative Services (DCAS), following approval by the Franchise and Concession Review Committee, has awarded a concession to Toys 'R' Us-Delaware, Inc. for a period of one (1) year with two (2) one-year renewal options; exercisable at the City's sole discretion to utilize approximately 233,000 square feet of waterfront property, that includes an approximately 46,400 square feet building situated thereon. The property known as 2875 Flatbush Avenue is located approximately 3,689 feet south of the southeast corner of Avenue U and Flatbush Avenue, identified as Block 8591, Part of Lot 125, Borough of Brooklyn. DCAS entered into the sole source occupancy permit to allow Toys 'R' Us-Delaware, Inc. to continue to use this property for the operation of a retail store business and such uses as may be incidental thereto, including, without limitation, accessory business parking. The concession term will commence June 1, 2010. DCAS projects approximately \$1,020,000 in annual concession revenue to the City.

jy14

AGENCY CHIEF CONTRACTING OFFICER

AWARDS

Construction / Construction Services

ELECTRICAL WORK – Competitive Sealed Bids – PIN# 8560900001061 – AMT: \$2,090,000.00 – TO: Sajiun Electric, Inc., 105 West 27th Street, NYC 10001. Electrical Work for the Fire Alarm upgrade Project at 18 Richmond Terrace, S.I., N.Y. This is a Prevailing Wage Contract, with M/WBE subcontractor requirements.

jy14

DIVISION OF MUNICIPAL SUPPLY SERVICES

SOLICITATIONS

Goods

- ASTHMA MANAGEMENT DEVICES AND ACCESSORIES** – Competitive Sealed Bids – PIN# 8571000441 – DUE 08-10-10 AT 10:30 A.M.
- **PAPER: WAXED, ROLLS** – Competitive Sealed Bids – PIN# 8571000515 – DUE 08-09-10 AT 10:30 A.M.
- **COTS: FOLDING, ADULT SIZE** – Competitive Sealed Bids – PIN# 8571000205 – DUE 08-09-10 AT 10:30 A.M.
- **PETROLEUM PRODUCTS RE-REFINED RE-AD** – Competitive Sealed Bids – PIN# 8571000247 – DUE 08-04-10 AT 10:30 A.M.
- **PETROLEUM PRODUCTS AUTOMOTIVE RE-AD** – Competitive Sealed Bids – PIN# 8571000248 – DUE 08-04-10 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*Department of Citywide Administrative Services
 1 Centre Street, Room 1800, New York, NY 10007.
 Anna Wong (212) 669-8610, fax: (212) 669-7603
 dcasdmssbids@dcas.nyc.gov*

jy14

AWARDS

Goods

BAKERY PRODUCTS – Competitive Sealed Bids – PIN# 1000681 – AMT: \$99,641.60 – TO: Valente Yeast Company, Inc., 61-26 Maurice Avenue, Maspeth, NY 11378.

jy14

VENDOR LISTS

Goods

ACCEPTABLE BRAND LIST – In accordance with PPB Rules, Section 2-05(c)(3), the following is a list of all food items for which an Acceptable Brands List has been established.

1. Mix, Biscuit - AB-14-1:92
2. Mix, Bran Muffin - AB-14-2:91
3. Mix, Corn Muffin - AB-14-5:91
4. Mix, Pie Crust - AB-14-9:91
5. Mixes, Cake - AB-14-11:92A
6. Mix, Egg Nog - AB-14-19:93
7. Canned Beef Stew - AB-14-25:97
8. Canned Ham Shanks - AB-14-28:91
9. Canned Corned Beef Hash - AB-14-26:94
10. Canned Boned Chicken - AB-14-27:91
11. Canned Corned Beef - AB-14-30:91
12. Canned Ham, Cured - AB-14-29:91
13. Complete Horse Feed Pellets - AB-15-1:92
14. Canned Soups - AB-14-10:92D
15. Infant Formula, Ready to Feed - AB-16-1:93
16. Spices - AB-14-12:95
17. Soy Sauce - AB-14-03:94
18. Worcestershire Sauce - AB-14-04:94

Application for inclusion on the above enumerated Acceptable Brand Lists for foods shall be made in writing and addressed to: Purchase Director, Food Unit, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-4207.

jy17-j4

EQUIPMENT FOR DEPARTMENT OF SANITATION

In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:
 A. Collection Truck Bodies
 B. Collection Truck Cab Chassis
 C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8610.

jy17-j4

OPEN SPACE FURNITURE SYSTEMS - CITYWIDE – In accordance with PPB Rules, Section 2.05(c)(3), an Acceptable Brands List, #AB-17W-1:99, has been established for open space furniture systems.

Application for consideration of product for inclusion on this acceptable brands list shall be made in writing and addressed to: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007, (212) 669-8610.

jy17-j4

CULTURAL AFFAIRS

SOLICITATIONS

Goods & Services

TESSITURA TICKETING SOFTWARE FOR MTC – Sole Source – Available only from a single source - PIN# 12610S0001 – DUE 07-26-10 AT 9:00 A.M. – The Dept.

of Cultural Affairs intends to enter into negotiations with Tessitura, Inc., for the sole source procurement of the ticketing software system.

The agency has determined that it is in the best interest of the City to utilize the sole source method of source selection because, based on market research, it appears that Tessitura, Inc., is the only source for the proprietary ticketing software system. Any firm which believes it can also provide this category of service and would like to be considered, is invited to contact the Dept. of Cultural Affairs, 31 Chambers Street, 2nd Floor, New York, NY 10007. Attn: Louise Woehrle, Agency Chief Contracting Officer (212) 513-9310, or lwoehrle@culture.nyc.gov, no later than July 25, 2010.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*Department of Cultural Affairs, 31 Chambers Street
 2nd Floor, New York, NY 10007.
 Louis Woehrle (212) 513-9310, lwoehrle@culture.nyc.gov*

jy8-14

HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-4018.

j1-d31

SOLICITATIONS

Goods & Services

TRANSIT TIME FLOW EQUIPMENT – Competitive Sealed Bids – PIN# 00011111008 – DUE 07-23-10 AT 3:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*Bellevue Hospital Center, Purchasing, 462 First Avenue
 Room #12 East 32, New York, NY 10016.
 Melissa Cordero (212) 562-2016,
 melissa.cordero@bellevue.nychhc.org*

jy14

MATERIALS MANAGEMENT

SOLICITATIONS

Goods & Services

ASSAYS TO EVALUATE HIV AND IMPROVE TREATMENT MANAGEMENT – Other – PIN# 030-0026 – DUE 07-19-10 AT 10:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*Health and Hospitals Corporation, 346 Broadway, 5th Floor,
 Room 516, New York, NY 10013-3990.
 Sherry Lloyd (212) 442-3863, fax: (212) 442-3880,
 sherry.lloyd@nychhc.org*

jy14

PURCHASING

SOLICITATIONS

Goods

PANEL – Competitive Sealed Bids – PIN# QHN2010-1121QHC – DUE 08-06-10

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*Health and Hospitals Corporation, 82-68 164th St.,
 "S" Building, 2nd Floor, Jamaica, NY 11432.
 Prasanna Vidyasagar (718) 883-6006, fax: (718) 883-6220,
 vidyasp@nychhc.org*

jy14

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

AWARDS

Human / Client Service

HOME BASED CRISIS INTERVENTION – Renewal – PIN# 05A0013101R2X00 – AMT: \$396,903.00 – TO: Northside Center for Child Development, Inc., 1301 Fifth Avenue, New York, NY 10029.

● **MEDICALLY SUPERVISED OUTPATIENT AND VOCATIONAL REHABILITATION** – Renewal – PIN# 08PO117101R1X00 – AMT: \$2,053,593.00 – TO: Inwood Community Services, Inc., 651 Academy Street, New York, NY 10034.

● **PSYCHOSOCIAL CLUB/TRANSITIONAL EMPLOYMENT/BCM/SCM** – Renewal – PIN# 05AZ010001R2X00 – AMT: \$1,147,131.00 – TO: Upper Manhattan Mental Health Center, Inc., 1727 Amsterdam Avenue, New York, NY 10031.

jy14

HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

SOLICITATIONS

Human / Client Service

CORRECTION: TRANSITIONAL RESIDENCES FOR HOMELESS/ DROP-IN CENTERS – Competitive Sealed

Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-27-11 AT 10:00 A.M. – CORRECTION: The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Homeless Services, 33 Beaver Street, 13th Floor, New York, NY 10004.
Marta Zmoira (212) 361-0888, mzmoira@dhs.nyc.gov

j6-20

HUMAN RESOURCES ADMINISTRATION

AWARDS

Services (Other Than Human Services)

CONSULTANT FOR PROFESSIONAL RESEARCH FOR POVERTY UNIT – Contract Change – PIN# 06909N071101 – AMT: \$74,520.00 – TO: Mathematica Policy Research Inc., P.O. Box 2393, Princeton, NJ 08543-2393
TERM: 05/01/2009 - 11/30/2010

jy14

JUVENILE JUSTICE

SOLICITATIONS

Human/Client Service

PROVISION OF NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13010DJJ000 – DUE 06-30-11 AT 2:00 P.M. – The Department of Juvenile Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 6/30/11.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Juvenile Justice, 110 William Street 14th Floor, New York, NY 10038.
Chuma Uwechia (212) 442-7716, cuwechia@djj

jy1-d16

PARKS AND RECREATION

REVENUE AND CONCESSIONS

SOLICITATIONS

Services (Other Than Human Services)

OPERATION OF CONCESSIONS FOR THE SALE OF CHRISTMAS TREES AND RELATED PRODUCTS – Competitive Sealed Bids – PIN# TR-2010 – DUE 08-10-10 AT 11:00 A.M. – At various locations throughout the five boroughs.

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD)
212-504-4115.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, The Arsenal-Central Park 830 Fifth Avenue, Room 407, New York, NY 10021.
Glenn Kaalund (212) 360-1397, fax: (212) 360-3434
glenn.kaalund@parks.nyc.gov

jy9-22

TRANSPORTATION

DIVISION OF FRANCHISES, CONCESSIONS AND CONSENTS

SOLICITATIONS

Services (Other Than Human Services)

VENDING MACHINES – Competitive Sealed Bids – PIN# 84110MBAD537 – DUE 08-13-10 AT 11:00 A.M. – Installation, operation and maintenance of beverage and snack vending machines at various department facilities in the five boroughs.

Pursuant to Section 1-12 of the Rules of the Franchise and Concessions Review Committee, DOT's Office of Franchises, Concessions and Consents is soliciting bids for the installation, operation and maintenance of beverage and snack vending machines at various DOT facilities in the five boroughs. The Solicitation Number is 84110MBAD537 (please use in all correspondence regarding this concession). The initial term of the License will be three years, with two three-year renewal options to be exercised at the sole discretion of DOT.

The Request for Bids will be available online from:
<http://www.nyc.gov/html/dot/html/about/rfpintro.shtml>.

Hard copies may be obtained through Thursday, August 12, 2010, except holidays, from 9:00 A.M. to 3:00 P.M.

Bids must be submitted to the ACCO, Contract Management Unit, Department of Transportation, 55 Water Street, Ground Floor, New York, NY 10041, where they will be publicly opened at 11:00 A.M. on Friday, August 13, 2010.

There will be a pre-bid conference on July 27, 2010 at 2:00 P.M. at 55 Water Street, N.Y., N.Y. Attendees are asked to

RSVP. Attendance by bidders is optional but strongly recommended.

The Authorized Department Contact is Owiso Mukuku. She can be reached by fax, phone, email or regular mail. All inquiries should be submitted in writing and will be answered in writing.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Transportation, ACCO Contracting Unit 55 Water Street, Ground Floor, New York, NY 10041.
Owiso Makuku (212) 839-6550, fax: (212) 839-4834
concessions@dot.nyc.gov

jy12-23

AGENCY RULES

BUILDINGS

NOTICE

NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter and Article 304 of Title 28 of the New York City Administrative Code, that the Department of Buildings hereby repeals subdivision (f) of Section 11-01 of Chapter 11 of Title 1 of the Rules of the City of New York and adds a new Section 103-02 to Subchapter C of Chapter 100 and amends Section 101-03 of Subchapter A of Chapter 100 of same, relating to elevator inspections and tests, filing requirements, penalties, and waivers and fees payable to the department of buildings.

This rule was first published on April 14, 2010, and a public hearing thereon was held on May 19, 2010.

Dated: July 6, 2010
New York, New York

/s/
Robert D. LiMandri
Commissioner

Section 1. Subdivision (f) of Section 11-01 of Chapter 11 of Title 1 of the Rules of the City of New York, relating to Performance of inspections and filings of inspection reports, is REPEALED.

§2. Subchapter C of Chapter 100 of Title 1 of the Rules of the City of New York is amended by adding a new Section 103-02 to read as follows:

§103-02 Elevator inspections and tests, filing requirements, penalties and waivers.

(a) Scope. This rule implements Article 304 of Title 28 of the New York City Administrative Code ("Administrative Code") by specifying the periodic elevator inspection and testing requirements to be conducted by an approved elevator inspection agency on behalf of the owner and the processes through which the department shall regulate the filings of elevator inspection and test reports and elevator affirmations of correction and issue penalties and waivers for failure to file and/or late and untimely filing.

(b) References. See Sections 28-201.2.2, 28-202.1 and Article 304 of Title 28 of the Administrative Code.

(c) Definitions. For the purposes of this rule, the following terms shall have the following meanings:

(1) Approved elevator inspection agency. An elevator inspection agency, including its directors and inspectors, that currently holds or hereafter secures a Certificate of Approval from the department.

(2) Elevator. For the purposes of this rule, such term shall include elevators, escalators, moving walkways, material lifts, vertical reciprocating conveyors ("VRC"), dumbwaiters and other conveying systems.

(3) Filing deadline. For category 1, 3 and 5 periodic elevator inspection and test reports, forty-five (45) calendar days from the date of the inspection

(4) Final certificate. A certificate issued by the department authorizing the operation of an elevator following the satisfactory completion of an inspection and test.

(5) Inspection and test cycle.

(i) Category 1. Except as otherwise provided by the commissioner, January first through December thirty-first of each year.

(ii) Category 3. Except as otherwise provided by the commissioner, within three (3) years from the month of issuance of a final certificate for a new elevator or within three (3) years from the month of the most recent category 3 periodic inspection and test performed on an

existing elevator.

(iii) Category 5. Except as otherwise provided by the commissioner, within five (5) years from the month of issuance of a final certificate for a new elevator or within five (5) years from the month of the most recent category 5 periodic inspection and test performed on an existing elevator.

(6) Late filing. An inspection and test report that is filed after the filing deadline.

(7) Owner. Any person, agent, firm, partnership, corporation or other legal entity having a legal or equitable interest in, or control of the premises and/or elevator.

(8) Periodic inspection and test. For the purposes of this rule, such term shall mean an elevator inspection and test to be conducted in accordance with Table N 1 of Appendix K of the New York City Building Code ("Building Code") and this section by an approved elevator inspection agency on behalf of the owner.

(9) Waiver. Removal of the obligation to pay a penalty associated with a violation. A waiver does not result in dismissal of the underlying violation.

(d) Inspection and tests, reports and filing requirements. Periodic elevator inspections and tests conducted by approved elevator inspection agencies on behalf of the owner and reports filed by such agency or owner shall comply with Article 304 of Title 28 of the Administrative Code, paragraph (4) of subdivision (c) of Section 101-07 of Title 1 of these rules and the following:

(1) Category 1, 3 and/or 5 periodic inspections and tests shall be conducted during the inspection and test cycle.

(2) Category 1, 3 and/or 5 periodic inspection and test reports shall be submitted on forms supplied by the department and in such a manner as required by the commissioner by the filing deadline.

(e) Correction of defects and affirmation of correction filing requirements. In accordance with Section 28-304.6.6 of the Administrative Code, all defects found and reported on category 1 periodic inspection and test reports shall be corrected within forty five (45) business days of the filing of the report by an approved elevator inspection agency or owner, with the exception of all hazardous conditions, which shall be corrected immediately. Within fifteen (15) business days following such forty five (45) day period, an affirmation of correction stating that all found and reported defects have been corrected shall be filed by same with the department on such forms and in such a manner as prescribed by the commissioner. Failure to comply with this subdivision shall be deemed a major violation.

(f) Acceptance of filings. Late filings of inspection and test reports and/or untimely filings of affirmations of correction shall be accepted by the department as filed upon payment of the appropriate civil penalties as set forth in subdivisions (h) and (i) of this section, if filed within twelve (12) months of the date the inspection and test was conducted or the date the affirmation was due. Reports and affirmations filed after such twelve (12) month period shall be deemed expired. In such cases, the appropriate civil penalties shall be paid, a new inspection and test shall be performed for the current inspection and test cycle and a new report filed in accordance with this section.

(g) Ten- (10) day notifications. In accordance with Section 28-304.6.1 of Title 28 of the Administrative Code, the department shall be notified by an approved elevator inspection agency on behalf of the owner at least ten (10) calendar days prior to the category 1 (escalators only), 3 and/or 5 periodic inspection and testing to be conducted by such approved elevator inspection agency. The commissioner may require that such agency provide ten- (10) calendar day notifications to the department's Elevator Division for all periodic inspections and tests if he or she deems it necessary.

(h) Civil penalties - owners of buildings that contain (1) or two (2) single residential units.

(1) Failure to file the inspection and test report. An owner who fails to file the category 1, 3 and/or 5 periodic inspection and test report for each elevator within twelve (12) months from the date of the inspection and test, pursuant to Article 304 of Title 28 of the Administrative Code and this section, shall be liable for a civil penalty of one thousand dollars (\$1000.00) per elevator.

(2) Late filing of the inspection and test report. An owner who submits a late filing, but who provides proof that the inspection and test took place within the period for which the report was due, shall be liable for a civil penalty of fifty dollars (\$50.00) per month, per elevator, commencing on the day following the filing deadline and ending on the date of submission of an inspection and test report. The total penalty shall not exceed six hundred dollars (\$600.00) per elevator. For the purposes of this paragraph, "proof" shall mean a copy of the elevator inspection and test report for the inspection and test conducted during the applicable period and a copy of the front and back of a canceled check(s) to the department for an elevator inspection and test report fee.

(3) Failure to file the affirmation of correction. An owner who fails to file the elevator

affirmation of correction within twelve (12) months from the date the affirmation was due, stating that all category 1 defects found and reported on the inspection and test report have been corrected pursuant to Section 28-304.6.6 of the Administrative Code and subdivision (e) of this section, shall be liable for a civil penalty of one thousand dollars (\$1000.00) per elevator.

(4) Untimely filing of the affirmation of correction. An owner who fails to file such affirmation within sixty (60) business days from the filing of such report in accordance with subdivision (e) of this section, shall be liable for a civil penalty of fifty dollars (\$50.00) per month, per elevator, commencing on the day following the date the affirmation was due and ending on the date of submission of the affirmation. The total penalty shall not exceed six hundred dollars (\$600.00) per elevator.

(i) Civil penalties - owners of commercial buildings, mixed use buildings or buildings that contain more than two (2) residential units.

(1) Failure to file the inspection and test report. An owner who fails to file a category 1 periodic inspection and test report for each elevator within twelve (12) months from the date of the inspection and test, pursuant to Article 304 of Title 28 of the Administrative Code and this section, shall be liable for a civil penalty of three thousand dollars (\$3000.00) per elevator. An owner who fails to file a category 3 or 5 periodic inspection and test report for each elevator within twelve (12) months from the date of the inspection and test, pursuant to Article 304 of Title 28 of the Administrative Code and this section, shall be liable for a civil penalty of five thousand dollars (\$5000.00) per elevator.

(2) Late filing of the inspection and test report. An owner who submits a category 1 late filing, but who provides proof that the inspection and test took place within the period for which the report was due, shall be liable for a civil penalty of one hundred and fifty dollars (\$150.00) per month, per elevator, commencing on the day following the filing deadline and ending on the date of submission of a complete report. The total penalty shall not exceed one thousand eight hundred dollars (\$1800.00) per elevator. An owner who submits a category 3 or 5 late filing, but who provides proof that the inspection and test took place within the period for which the report was due, shall be liable for a civil penalty of two hundred and fifty dollars (\$250.00) per month, per elevator, commencing on the day following the filing deadline and ending on the date of submission of a complete report. The total penalty shall not exceed three thousand dollars (\$3000.00) per elevator. For the purposes of this paragraph, "proof" shall mean a copy of the elevator inspection and test report for the inspection and test conducted during the applicable period and a copy of the front and back of a canceled check(s) to the department for an elevator inspection/test report fee.

(3) Failure to file the affirmation of correction. An owner who fails to file the elevator affirmation of correction within twelve (12) months from the date the affirmation was due, stating that all category 1 defects found and reported on the inspection and test report have been corrected pursuant to Section 28-304.6.6 of the Administrative Code and subdivision (e) of this section, shall be liable for a civil penalty of three thousand dollars (\$3000.00) per elevator.

(4) Untimely filing of the affirmation of correction. An owner who fails to file such affirmation within sixty (60) business days from the filing of such report in accordance with subdivision (e) of this section, shall be liable for a civil penalty of one hundred and fifty dollars (\$150.00) per month, per elevator, commencing on the day following the date the affirmation was due and ending on the date of submission of the affirmation. The total penalty shall not exceed one thousand eight hundred dollars (\$1800.00) per elevator.

(j) Challenge of a civil penalty. An owner may challenge the imposition of any civil penalty authorized to be imposed pursuant to this section by providing written proof of a timely and complete inspection and test and filing and/or correction of defects and filing to the department. Examples of such proof shall include, but are not limited to a copy of the elevator inspection/test report for the inspection and test conducted during the applicable period and a copy of the front and back of a canceled check(s) to the department for an elevator inspection and test report fee. Challenges shall be made in writing within thirty (30) calendar days from the date of service of the violation by the department and sent to the office/unit of the department that issued the violation. The decision to dismiss or uphold the penalty shall be at the sole discretion of the department.

(k) Waiver of penalties. An owner may request a waiver of penalties assessed for violation of Article 304 of Title 28 of the Administrative Code, predecessor provisions of the 1968 New York City Building Code and/or related rules enforced by the department. Requests shall be made in writing.

(1) Owner status.

(i) New owner. A new owner may be granted a waiver of penalties contingent upon the department's

acceptance of the owner's proof that transfer of ownership to the new owner occurred after penalties were incurred. Such a waiver is limited to one of the following circumstances:

(A) The new owner has obtained full tax exemption status from the New York City Department of Finance; or

(B) The new owner submits proof to the department (such as a certificate from the Department of Housing Preservation and Development) that he or she took title to the property as part of an economic development program sponsored by a government agency.

(ii) Government ownership. An owner may be granted a waiver of penalties upon submission of official documentation from a government entity affirming that the premises was owned in its entirety by the entity during the period for which a waiver is requested.

(iii) Bankruptcy. An owner may be granted a waiver of penalties upon submission of a copy of a bankruptcy petition, together with proof that either the department or the New York City Law Department was served with a "Notice of Bar Date".

(2) Device status. An owner may be granted a waiver of penalties contingent upon the department's acceptance of proof of the following:

(i) Removed or dismantled. That a permit was issued by the department for the removal or dismantling of the elevator(s) and that there was department sign-off, for removal only, indicating that the elevator was removed or dismantled prior to the inspection and test cycle for which the report was due.

(ii) New or replaced. That a final certificate was issued by the department as part of a new installation during the inspection and test cycle for which the report was due.

(iii) Work in progress. That there is work in progress for the replacement or installation of a new elevator or a major renovation requiring that the elevator be deactivated during the work. For the purposes of this subparagraph, "proof" shall mean the filing of an elevator application including a projected date of completion of work. Upon completion of such work, a new category 1 inspection and test report shall be filed in accordance with this section.

(3) Building status. An owner may be granted a waiver of penalties contingent upon the department's confirmation of the following:

(i) Demolished. That the full demolition of the building occurred prior to the inspection and test cycle for which the report was due and that such demolition was signed-off by the department and/or that a new building permit has been issued for the property.

(ii) Sealed or vacated. That the building was ordered to be sealed or vacated by a government agency (i.e. DOB, HPD, FDNY or OEM) or by court order prior to the expiration of the inspection and test cycle for which the report was due.

(l) Fees. Fees for filings related to elevators shall be as set forth in Section 101-03 of these rules and Table 28-112.7.2 of the Administrative Code.

§3. Section 101-03 of Subchapter A of Chapter 100 of Title 1 of the Rules of the City of New York is amended to read as follows:

<u>Elevator filings</u>		
●	Category 3 and 5	\$40
●	Affirmation of correction	\$40
●	Waiver of penalties	\$35

STATEMENT OF BASIS AND PURPOSE

The foregoing rule is promulgated pursuant to the authority of the Commissioner of Buildings under sections 643 and 1043(a) of the New York City Charter.

The rule implements Article 304 of Title 28 of the New York City Administrative Code by specifying the periodic elevator inspection and test requirements to be conducted by an approved elevator inspection agency on behalf of the owner and the processes through which the Department will regulate the filings of inspection and test reports and elevator affirmations of correction and issue penalties and waivers for failure to file and/or late and untimely filing.

This rule establishes as major violations the failure to file and untimely filing of an elevator affirmation of correction in accordance with Sections 28-201.2.2, 28-202.1 and 28-304.6.6 of the Administrative Code.

Section 28-201.2.2 of the Administrative Code specifies that failure to perform elevator inspections and to file required

reports is a major violation and Section 28-202.1(2) of the Administrative Code sets the limits on civil penalties for major violations.

This rule replaces and alters the terms of the department's Procedure & Policy Notice (PPN) 1/05, which governs the granting of waivers of assessed civil penalties to building owners.

This rule sets out new criteria under which new owners may be granted waivers. In order to qualify for a waiver of penalties that were issued prior to the owner taking title to the property, there must be evidence of a broader community benefit. Examples of evidence of a broader community benefit are that the new owner has obtained full tax exemption status from the New York City Department of Finance or has taken title to the property as part of an economic development program. By limiting the availability of waivers, the department hopes to eliminate a loophole in current law allowing a simple transfer of property to qualify as a basis for a waiver of penalties.

Section 3 of this rule establishes fees for various types of elevator filings that are required by rule.

• jy14

FINANCE

NOTICE

FINDING OF SUBSTANTIAL NEED FOR EARLIER IMPLEMENTATION

In order to assist property owners in attempting to limit the harm caused to a property owner by the recording of a fraudulent document concerning the property, the Department of Finance is implementing a procedure that will offer the owner or lienor of the property or the executor or administrator of the owner's or lienor's estate the opportunity to register with the Department to receive notice in the event that a deed or mortgage or a related document has been recorded against the property in the Office of the City Register or, for property in the County of Richmond, with the County Clerk. In the event that a fraudulent document is recorded, this procedure will provide the parties with the rightful interest in the property with notice that will allow such parties the opportunity to take the necessary action to limit harm to their interests. The Department of Finance intends to implement this program immediately in order to limit the potential harm as quickly as possible.

Therefore, pursuant to section 1043(e)(1)(c) of the New York City Charter, the Department of Finance hereby finds that there is a substantial need for the earlier implementation of the Amendment to the Rules Relating to the Office of the City Register. Consequently, the attached rule amendment shall be effective upon its final publication in the City Record.

S/S
David M. Frankel
Commissioner of Finance

Approved:

S/S
Michael R. Bloomberg, Mayor

Dated: July 12, 2010

NOTICE OF RULEMAKING

Pursuant to the power vested in me as Commissioner of Finance by sections 389(b) and 1043 of the New York City Charter, I hereby promulgate the within Amendment to the Rules Relating to the Office of the City Register. This amendment was published in proposed form on May 28, 2010. A hearing for public comment was held on June 28, 2010.

S/S
David M. Frankel
Commissioner of Finance

Note: New matter underscored; old matter in brackets [] to be deleted.

Amendment to the Rules Relating to the Office of the City Register

Section 1. The Rules Relating to the Office of the City Register (19 RCNY Chapter 43) are amended to add a new section 43-02 to read as follows:

§43-02 Notice of Recording. (a) Registration to receive notice. An owner, (or owner's agent/attorney or designee of owner), lienor (or lienor's agent/attorney) or executor/administrator (or the agent/attorney of the executor/administrator) of the estate of the owner or lienor of real property located in the City of New York may register with the Department of Finance, in a format determined by the Commissioner of Finance, to receive notice from the Department that a deed-related or mortgage-related document, as described in subdivision (e) of this section, has been recorded against such property in the Office of the City Register or, in the county of Richmond, in the Office of the County Clerk. (b) Notice by Department of Finance. The Department of Finance, to the extent practicable, will send notice to the registrant, in the event that one or more of the documents described in subdivision (e) of this section has been recorded against such property in the Office of the City Register or, in the county of Richmond, in the Office of the County Clerk. In the discretion of the Department of Finance, such notice may be sent by electronic means unless the registrant specifically requests otherwise. (c) Nothing in this section shall be construed to create an enforceable right in any individual to receive the notice described in subdivision (b) of this section. The failure of the

Department of Finance to provide the notice described in this section, or the failure of a property owner to receive such a notice.

(1) shall not result in any liability of the City of New York, including the Department of Finance, or the Office of the Richmond County Clerk;

(2) shall not prevent the levy, collection and enforcement of taxes on the affected property;

(3) shall not invalidate any proceedings or filings with respect to the affected property; and

(4) shall not prevent the City of New York, including the Department of Finance, or the Office of the Richmond County Clerk from taking any actions under or enforcing any provision of law or rule.

(d) Notwithstanding any other provision of this section, the Department of Finance shall have the discretion to send the notice described in subdivision (a) of this section to individuals or entities that have not filed registrations under subdivision (a) of this section.

(e) (1) Deed-related documents. For purposes of this section, a deed-related document shall include any document determined by the City Register to be deed-related, and includes, but is not limited to:

- (i) Air rights
- (ii) Condemnation proceeding documents;
- (iii) Condo declaration;
- (iv) Confirmatory deed;
- (v) Contract of sale;
- (vi) Correction deed;
- (vii) Court order;
- (viii) Deed;
- (ix) In rem deed;
- (x) Judgment;
- (xi) Life estate deed;
- (xii) Memorandum of contract;
- (xiii) Power of attorney;
- (xiv) Real estate investment trust deed;
- (xv) Revocation of power of attorney;
- (xvi) Sundry agreement; and
- (xvii) Unit assignment.

(2) Mortgage-related documents. For purposes of this section, a mortgage-related document shall include any document determined by the City Register to be mortgage-related, and includes, but is not limited to:

- (i) Collateral mortgage;
- (ii) Mortgage;
- (iii) Mortgage and consolidation;
- (iv) Mortgage spreader agreement;
- (v) Satisfaction of mortgage;
- (vi) Subordination of mortgage;
- (vii) Sundry mortgage; and
- (viii) UCC-1 (financing statement).

(f) Inclusion of information from the Office of the Richmond County Clerk in the notices to be provided pursuant to this section is conditioned upon the continued participation of such office in the program established in accordance with this section.

BASIS AND PURPOSE OF AMENDMENT

In some cases, persons attempt to convey real property that they do not actually own, or create the illusion of a mortgage or other type of interest by recording a fraudulent deed or other type of document in the Office of the City Register, or for property located in the county of Richmond, in the Office of the County Clerk. If the document is presented to the recording officer in recordable form, the recording officer is required by law to record it. In order to assist property owners in attempting to limit the harm caused to a property owner by the recording of a fraudulent document concerning the property, the Department of Finance will offer the owner or lienor of the property or the executor or administrator of the owner's estate the opportunity to register with the Department to receive notice in the event that a deed or mortgage or a related document has been recorded against the property in the Office of the City Register or, for property in the County of Richmond, with the County Clerk. In the event that a fraudulent document is recorded, this procedure will provide the rightful owner of the affected property or a lienor of the affected property or the executor or administrator of the owner's or lienor's estate with notice that will allow the owner or lienor, or other individual or entity, the opportunity to take the necessary action to limit harm to their interests. The Department has determined to promulgate the procedure as a rule in order to provide the broadest possible notice to affected parties.

• jy14



COMPTROLLER

■ NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on July 27, 2010, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
249	15966	p/o 35
250	15966	p/o 33
251	15966	p/o 32
281	15962	p/o 6
290	15962	p/o 100
296	15962	p/o 88
297	15962	p/o 87

Acquired in the proceeding, entitled: Beach 43, 44, & 45 and Conch Drive et. al. subject to any liens and encumbrances of

record on such property. The amount advanced shall cease to bear interest on the specified date above.

John C. Liu
Comptroller

jy13-27

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on July 15, 2010, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
213	15966	p/o 14
214	15966	p/o 13
216	15966	p/o 11
217	15966	p/o 10
218	15966	p/o 9
219	15966	p/o 8
220	15966	p/o 7

Acquired in the proceeding, entitled: Beach 43, 44, & 45 and Conch Drive, et. al. subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

John C. Liu
Comptroller

j30-jy15

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on July 16, 2010, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Damage Parcel No.	Block	Lot
221	15966	p/o 5
222	15966	p/o 3
225	15966	p/o 80
228	15966	p/o 77
233	15966	p/o 70
234	15966	p/o 68
236	15966	p/o 65

Acquired in the proceeding, entitled: Beach 43, 44, & 45 and Conch Drive, et. al. subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

John C. Liu
Comptroller

jy1-16

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on July 14, 2010, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels as follows:

Damage Parcel No.	Block	Lot
195	15968	p/o 69
199	15966	p/o 31
204	15966	p/o 26
207	15966	p/o 22
208	15966	p/o 20
209	15966	p/o 19
210	15966	p/o 18
211	15966	p/o 17
212	15966	p/o 15

Acquired in the proceeding, entitled Beach 43, 44, & 45 and Conch Drive, et. al. subject of any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

John C. Liu
Comptroller

j29-jy14

HOUSING PRESERVATION & DEVELOPMENT

■ NOTICE

**OFFICE OF ENFORCEMENT & NEIGHBORHOOD SERVICES
CERTIFICATION OF NO HARASSMENT UNIT**

REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO LOCAL LAW 19 OF 1983

DATE OF NOTICE: July 9, 2010

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
208 Lefferts Place, Brooklyn	59/10	June 7, 2007 to Present
8 Spencer Place, Brooklyn	61/10	June 11, 2007 to Present
71 St. James Place, Brooklyn	62/10	June 22, 2007 to Present
1369 Dean Street, Brooklyn	64/10	June 24, 2007 to Present
189 6 Avenue, Brooklyn	65/10	June 24, 2007 to Present
491 Manhattan Avenue, Manhattan	60/10	June 9, 2007 to Present
427 West 146th Street, Manhattan	68/10	June 30, 2007 to Present

The Department of Housing Preservation and Development has received an application for a certification that during the inquiry period noted for the premises above, that no harassment has occurred at such premises in the form of threats, use of physical force, deprivation of essential services such as heat, water, gas or electric, or by any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy. Upon the issuance of a Certification, an owner can legally convert the premises to non-single room occupancy use.

Comments as to whether harassment has occurred at the premises should be submitted to the Anti-Harassment Unit, 100 Gold Street, 3rd Floor, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement please call (212) 863-5277, (212) 863-8211 or (212) 863-8298.

jy9-19

**OFFICE OF ENFORCEMENT & NEIGHBORHOOD SERVICES
CERTIFICATION OF NO HARASSMENT UNIT**

REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO THE SPECIAL GREENPOINT-WILLIAMSBURG DISTRICT PROVISIONS OF THE ZONING RESOLUTION

DATE OF NOTICE: July 9, 2010

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
149 Wythe Avenue, Brooklyn	66/10	October 4, 2004 to Present
151 Wythe Avenue, Brooklyn	67/10	October 4, 2004 to Present
a/k/a 151-153 Wythe Avenue		

Prior to the issuance of a permit by the Department of Buildings for the alteration or demolition of residential buildings in certain areas of the **Special Greenpoint-Williamsburg District**, the Department of Housing Preservation and Development is required to certify that: 1) prior to evicting or otherwise terminating the occupancy of any tenant preparatory to alteration or demolition, the owner shall have notified HPD of the owner's intention to alter or demolish the building and 2) the eviction and relocation practices followed by the owner of the building satisfy all applicable legal requirements and that no harassment has occurred.

The owner of the building located at the above-referenced address seeks the issuance of an HPD Certification. The owner has represented and certified to HPD of the owner's intention to alter or demolish the building and that the eviction and relocation practices followed by the owner satisfy all applicable legal requirements and that no harassment has occurred. For your information HPD considers harassment to include, but not be limited to, the threatened or actual use of physical force, deprivation of essential services such as heat, water, gas or electric, or any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy.

HPD requests that if you have any comments or evidence of unlawful eviction and relocation practices or harassment occurring at the above referenced premises that you notify the Anti-Harassment Unit, 3rd Floor, 100 Gold Street, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement please call (212) 863-5277, (212) 863-8211 or (212) 863-8298.

jy9-19

**OFFICE OF ENFORCEMENT & NEIGHBORHOOD SERVICES
CERTIFICATION OF NO HARASSMENT UNIT**

REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO THE SPECIAL HUDSON YARD DISTRICT PROVISIONS OF THE ZONING RESOLUTION

DATE OF NOTICE: July 9, 2010

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
508 9th Avenue, Manhattan	58/10	June 21, 2004 to Present

Prior to the issuance of a permit by the Department of Buildings for the alteration or demolition of residential buildings in certain areas of the **Special Hudson Yard District**, the Department of Housing Preservation and Development is required to certify that: 1) prior to evicting or otherwise terminating the occupancy of any tenant preparatory to alteration or demolition, the owner shall have notified HPD of the owner's intention to alter or demolish the building and 2) the eviction and relocation practices followed by the owner of the building satisfy all applicable legal requirements and that no harassment has occurred.

The owner of the building located at the above-referenced address seeks the issuance of an HPD Certification. The owner has represented and certified to HPD of the owner's intention to alter or demolish the building and that the eviction and relocation practices followed by the owner satisfy all applicable legal requirements and that no harassment has occurred. For your information HPD considers harassment to include, but not be limited to, the threatened or actual use of physical force, deprivation of essential services such as heat, water, gas or electric, or any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy.

HPD requests that if you have any comments or evidence of unlawful eviction and relocation practices or harassment occurring at the above referenced premises that you notify the Anti-Harassment Unit, 3rd Floor, 100 Gold Street, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement please call (212) 863-5277, (212) 863-8211 or (212) 863-8298.

jy9-19